IN RE: PETITIONS FOR SPECIAL HEARING
AND SPECIAL EXCEPTION – SW/S
South Ruhl Road, 2,900' S of the ¢/l of
West Ruhl Road
(20959 South Ruhl Road)
6th Election District
3rd Councilmanic District

Barbara A. Cochran Petitioner

- BEFORE THE
- * DEPUTY ZONING COMMISSIONER
- OF BALTIMORE COUNTY
- Case No. 99-326-SPHX

AMENDED ORDER

WHEREAS, this matter came before the Deputy Zoning Commissioner for consideration of Petitions for Special Hearing and Special Exception filed by the owner of the subject property, Barbara A. Cochran, through her attorney, J. Carroll Holzer, Esquire, at a public hearing held on April 1, 1999. The Petitioner sought approval of a parcel line adjustment, pursuant to Sections 1A00.4, 1A00.5 and 1A01.3.B.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), and a special exception to permit a kennel, in accordance with Section 1A01.2.C.2 of the B.C.Z.R., on the R.C.2 zoned portion of the subject property, in accordance with the site plan submitted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing in support of the Petitions were Dr. Barbara A. Cochran, owner of the property, James S. Patton, Professional Engineer, and J. Carroll Holzer, Esquire, attorney for the Petitioner. There were no Protestants or other interested persons present. However, subsequent to the hearing, Mr. & Mrs. Hong Sam Kim, adjoining property owners, appeared to inquire about the proposal out of interest.

By Order dated April 16, 1999, the Petitions for Special Hearing and Variance were granted, subject to certain terms and conditions.

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Subsequent to the issuance of said Order, Counsel for the Petitioner advised this Deputy Zoning Commissioner of certain discrepancies within the opinion, and, in an effort to clarify those issues to avoid any future misunderstandings, Counsel requested the Order be amended to add certain facts that were presented at the hearing, but not disclosed within the opinion. Thus, in consideration of Counsel's request, the Order has been modified to include the amended/added language, which has been underlined, and the deleted language in brackets, as set forth below.

Testimony and evidence presented revealed that the subject property consists of four {three} parcels, containing a combined gross area of approximately 150 acres, split zoned R.C.2 and R.C.4, with a total of 15 development rights. The property is located along the east and west sides of South Ruhl Road in northern Baltimore County, in the vicinity of Middletown Road and Keeney Mill Road, and is traversed by the Little Falls. The larger of the four {three} parcels, and one small parcel are {is} located on the west side of South Ruhl Road. This parcel contains a gross area of 119.977 acres, more or less, and are {is} unimproved. The other two parcels are located on the east side of South Ruhl Road and contain a gross area of 7.580 acres and 22.79 acres, respectively. The larger of these two parcels is improved with a single family dwelling, known as 20959 South Ruhl Road.

As to the Petition for Special Hearing, the Petitioner is desirous of combining the two smaller parcels on the east side of South Ruhl Road to create one parcel of approximately 30 acres total. The proposed new parcel line will follow the existing dividing line of South Ruhl Road, and these two parcels have seven (7) development rights. Testimony indicated that Dr. Cochran has negotiated with the Office of Planning to convey most of the rights of subdivision associated with her land into the {Agricultural} Land Preservation Trust, Inc. {Program}. Thus, the newly created 30-acre parcel will contain the existing single family dwelling and there will be no other

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density units associated with this parcel. In order to perform the parcel line adjustment, the requested special hearing is necessary.

As to the 119.977-acre parcel located on the west side of South Ruhl Road, Dr. Cochran proposes to develop the property with a single family dwelling which will be her residence. In addition, Dr. Cochran wishes to construct a kennel adjacent to the new dwelling. Dr. Cochran testified that she breeds Irish Setters for show as a hobby and that the proposed kennel will be used specifically for her dogs and not for commercial purposes. She noted that sometimes after breeding, she has offered puppies for sale to the general public. However, she has no intention of boarding other dogs on her property; she merely wishes to have a kennel for her own dogs. The proposed dwelling will contain approximately 5,000 sq.ft. of living area and the kennel addition will contain approximately 450 sq.ft. As shown on the site plan, the proposed improvements will be located in approximately the center of the 119.977-acre tract of land so as to be as far away as possible from adjoining residential properties. However, in order to proceed with the proposed improvements, a special exception is necessary to locate a kennel on R.C.2 zoned land.

As noted above, Dr. Cochran has negotiated to place most of her land into a perpetual easement to preserve the property for agricultural use. The newly created 30-acre parcel on the east side of South Ruhl Road, which is already improved with a single family dwelling, will only have one density unit associated therewith, which has been utilized by virtue of the existing dwelling. However, in the event future circumstances dictate, Dr. Cochran, or her assignee, will be allowed to Petition for one additional density unit to be associated with this 30-acre parcel; however, at the present time, only one single family dwelling will be associated with this 30-acre

If Dr. Cochran's offer to the Maryland Agricultural Land Preservation Foundation (MALPF) is accepted as to the 119.977-acre parcel located on the west side of South Ruhl Road, which apparently has eight (8) development rights, there shall be two density units associated with that parcel. All other rights of subdivision (or density units) associated with that parcel shall also be placed into the MALPF. Dr. Cochran indicated that in the future, she may wish to create a caretaker's residence or tenant house on this parcel, and thus, wishes to retain one density unit to do so. Therefore, by this Order, which is contingent upon acceptance of her offer by the MALPF, I shall approve that the 119.977-acre parcel shall have two density units associated therewith, one of which shall be utilized by the proposed single family residence to be constructed for Dr. Cochran. The other density unit shall be retained for future use as a caretaker's residence or tenant house.

It is clear that the B.C.Z.R. permits the use proposed in an R.C.2 zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts,

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The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, I am persuaded to grant the special exception for a kennel. The Petitioner's testimony that the proposed kennel is for her show dogs only and that no other dogs will be boarded on the property, was persuasive. Moreover, the location of the kennel adjacent to the proposed new dwelling in nearly the center of this large tract reflects the Petitioner's intent to maintain this kennel for personal use. I further find that the proposed parcel line adjustment is appropriate in this instance and should be granted. It has been established that there will be no additional density associated with this adjustment and that the relief requested meets the spirit and intent of the R.C.2/R.C.4 zoning regulations. In addition, the relief requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the special hearing relief and the requested special exception should be granted.

IT IS FURTHER ORDERED that the Petition for Special exception to permit a kennel,

pursuant to Section 1A01.2.C.2 of the B.C.Z.R., on R.C.2 zoned land, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, the Petitioner is hereby made aware that proceeding at this time is at her own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) The special exception granted herein is limited to a private kennel for the Petitioner's dogs, only. There shall be no boarding of other dogs on the premises.
- 3) As noted herein, the Petitioner has negotiated to place most of her land into a perpetual easement to preserve the property for agricultural use. Therefore, as stipulated within this Order, there shall only be one density unit associated with the 30-acre parcel to be created on the east side of South Ruhl Road as a result of the parcel line adjustment granted herein. In addition, if her offer to the Maryland Agricultural Land Preservation Foundation is accepted, there shall only be two density units associated with the 119.977 acre parcel located on the west side of South Ruhl Road.
- 4) Pursuant to Section 502.2 of the B.C.Z.R., a new deed incorporating a reference to this case as to the 30-acre parcel, and the terms and conditions set forth herein shall be recorded among the Land Records of Baltimore County within sixty (60) days of the date of this Order. A copy of the recorded deed shall be forwarded to the Department of Permits and Development Management (DPDM) for inclusion in the case file.
- 5) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that the 30-acre parcel to be created on the east side of South Ruhl Road, by virtue of the parcel line adjustment granted herein, shall have only one density unit associated therewith, that density unit having been utilized by virtue of the existing dwelling. However, Dr. Cochran, or her assignee, shall be permitted to Petition for approval of one additional density unit on this 30-acre parcel, by way of a future public hearing, in the event circumstances warrant a necessity to do so.

{IT IS FURTHER ORDERED that the 119.977 acre parcel of land located on the west side of South Ruhl Road, shall have two density units associated therewith. One density unit will be utilized by virtue of the proposed residential dwelling to be constructed for Dr. Cochran; the other density unit is being reserved for future use by Dr. Cochran, in the event she wishes to construct a caretaker's residence or tenant house. There shall be no other density units or rights of subdivision associated with this 119.977-acre parcel.}

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner

for Baltimore County

TMK:bjs

cc: J. Carroll Holzer, Esquire

Holzer & Lee, 508 Fairmount Avenue, Towson, Md. 21204

Dr. Barbara A. Cochran

846 West 36th Street, Baltimore, Md. 21211

Mr. James S. Patton, 305 W. Chesapeake Avenue, Suite 206, Towson, Md. 21204

Mr. & Mrs. Hong Sam Kim, 20955 South Ruhl Road, Freeland, Md. 21053

People's Counsel; Case File

IN RE: PETITIONS FOR SPECIAL HEARING AND SPECIAL EXCEPTION – SW/S

South Ruhl Road, 2,900' S of the c/l of

West Ruhl Road

(20959 South Ruhl Road)

6th Election District

3rd Councilmanic District

Barbara A. Cochran Petitioner * BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* Case No. 99-326-SPHX

* * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of Petitions for Special Hearing and Special Exception filed by the owner of the subject property, Barbara A. Cochran, through her attorney, J. Carroll Holzer, Esquire. The Petitioner seeks approval of a parcel line adjustment, pursuant to Sections 1A00.4, 1A00.5 and 1A01.3.B.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), and a special exception to permit a kennel, in accordance with Section 1A01.2.C.2 of the B.C.Z.R., on the R.C.2 zoned portion of the subject property. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the hearing in support of the Petitions were Dr. Barbara A. Cochran, owner of the property, James S. Patton, Professional Engineer, and J. Carroll Holzer, Esquire, attorney for the Petitioner. There were no Protestants or other interested persons present. However, subsequent to the hearing, Mr. & Mrs. Hong Sam Kim, adjoining property owners, appeared to inquire about the proposal out of interest.

Testimony and evidence presented revealed that the subject property consists of three parcels, containing a combined gross area of approximately 150 acres, split zoned R.C.2 and R.C.4. The property is located along the east and west sides of South Ruhl Road in northern

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DER RECKIVED FOR FILING te Baltimore County, in the vicinity of Middletown Road and Keeney Mill Road, and is traversed by the Little Falls. The larger of the three parcels is located on the west side of South Ruhl Road. This parcel contains a gross area of 119.977 acres, more or less, and is unimproved. The other two parcels are located on the east side of South Ruhl Road and contain a gross area of 7.580 acres and 22.79 acres, respectively. The larger of these two parcels is improved with a single family dwelling, known as 20959 South Ruhl Road.

As to the Petition for Special Hearing, the Petitioner is desirous of combining the two smaller parcels on the east side of South Ruhl Road to create one parcel of approximately 30 acres total. The proposed new parcel line will follow the existing dividing line of South Ruhl Road. Testimony indicated that Dr. Cochran has negotiated with the Office of Planning to convey most of the rights of subdivision associated with her land into the Agricultural Land Preservation Program. Thus, the newly created 30-acre parcel will contain the existing single family dwelling and there will be no other density units associated with this parcel. In order to perform the parcel line adjustment, the requested special hearing is necessary.

As to the 119.977-acre parcel located on the west side of South Ruhl Road, Dr. Cochran proposes to develop the property with a single family dwelling which will be her residence. In addition, Dr. Cochran wishes to construct a kennel adjacent to the new dwelling. Dr. Cochran testified that she breeds Irish Setters for show as a hobby and that the proposed kennel will be used specifically for her dogs and not for commercial purposes. She noted that sometimes after breeding, she has offered puppies for sale to the general public. However, she has no intention of boarding other dogs on her property; she merely wishes to have a kennel for her own dogs. The proposed dwelling will contain approximately 5,000 sq.ft. of living area and the kennel addition will contain approximately 450 sq.ft. As shown on the site plan, the proposed improvements will

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be located in approximately the center of the 119.977-acre tract of land so as to be as far away as possible from adjoining residential properties. However, in order to proceed with the proposed improvements, a special exception is necessary to locate a kennel on R.C.2 zoned land.

As noted above, Dr. Cochran has negotiated to place most of her land into a perpetual easement to preserve the property for agricultural use. The newly created 30-acre parcel on the east side of South Ruhl Road, which is already improved with a single family dwelling, will only have one density unit associated therewith, which has been utilized by virtue of the existing dwelling. However, in the event future circumstances dictate, Dr. Cochran will be allowed to Petition for one additional density unit to be associated with this 30-acre parcel; however, at the present time, only one single family dwelling will be associated with this 30-acre parcel.

As to the 119.977-acre parcel located on the west side of South Ruhl Road, there shall be two density units associated with that parcel. All other rights of subdivision (or density units) associated with that parcel shall also be placed into the Agricultural Land Preservation Program. Dr. Cochran indicated that in the future, she may wish to create a caretaker's residence or tenant house on this parcel, and thus, wishes to retain one density unit to do so. Therefore, by this Order, I shall approve that the 119.977-acre parcel shall have two density units associated therewith, one of which shall be utilized by the proposed single family residence to be constructed for Dr. Cochran. The other density unit shall be retained for future use as a caretaker's residence or tenant house.

It is clear that the B.C.Z.R. permits the use proposed in an R.C.2 zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

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The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, I am persuaded to grant the special exception for a kennel. The Petitioner's testimony that the proposed kennel is for her show dogs only and that no other dogs will be boarded on the property, was persuasive. Moreover, the location of the kennel adjacent to the proposed new dwelling in nearly the center of this large tract reflects the Petitioner's intent to maintain this kennel for personal use. I further find that the proposed parcel line adjustment is appropriate in this instance and should be granted. It has been established that there will be no additional density associated with this adjustment and that the relief requested meets the spirit and intent of the R.C.2/R.C.4 zoning regulations. In addition, the relief requested will not be detrimental to the public health, safety, and general welfare.

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Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the special hearing relief and the requested special exception should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this day of April, 1999 that the Petition for Special Hearing seeking approval of a parcel line adjustment, pursuant to Sections 1A00.4, 1A00.5 and 1A01.3.B.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Special exception to permit a kennel, pursuant to Section 1A01.2.C.2 of the B.C.Z.R., on R.C.2 zoned land, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, the Petitioner is hereby made aware that proceeding at this time is at her own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) The special exception granted herein is limited to a private kennel for the Petitioner's dogs, only. There shall be no boarding of other dogs on the premises.
- 3) As noted herein, the Petitioner has negotiated to place most of her land into a perpetual easement to preserve the property for agricultural use. Therefore, as stipulated within this Order, there shall only be one density unit associated with the 30-acre parcel to be created on the east side of South Ruhl Road as a result of the parcel line adjustment granted herein. In addition, there shall only be two density units associated with the 119.977 acre parcel located on the west side of South Ruhl Road.
- 4) Pursuant to Section 502.2 of the B.C.Z.R., a new deed incorporating a reference to this case and the terms and conditions set forth herein shall be recorded among the Land Records of Baltimore County within sixty (60) days of the date of this Order. A copy of the recorded deed shall be forwarded to the Department of Permits and Development Management (DPDM) for inclusion in the case file.

5) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that the 30-acre parcel to be created on the east side of South Ruhl Road, by virtue of the parcel line adjustment granted herein, shall have only one density unit associated therewith, that density unit having been utilized by virtue of the existing dwelling. However, Dr. Cochran shall be permitted to Petition for approval of one additional density unit on this 30-acre parcel, by way of a future public hearing, in the event circumstances warrant a necessity to do so.

IT IS FURTHER ORDERED that the 119.977 acre parcel of land located on the west side of South Ruhl Road, shall have two density units associated therewith. One density unit will be utilized by virtue of the proposed residential dwelling to be constructed for Dr. Cochran; the other density unit is being reserved for future use by Dr. Cochran, in the event she wishes to construct a caretaker's residence or tenant house. There shall be no other density units or rights of subdivision associated with this 119.977-acre parcel.

Deputy Zoning Commissioner

for Baltimore County

TMK:bjs

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Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204 410-887-4386

Fax: 410-887-3468

April 16, 1999

J. Carroll Holzer, Esquire Holzer & Lee 508 Fairmount Avenue Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING and SPECIAL EXCEPTION SW and SE/S South Ruhl Road, 2900' S of the c/l of West Ruhl Road (20959 South Ruhl Road) 6th Election District — 3rd Councilmanic District Barbara A. Cochran - Petitioner Case No. 99-326-SPHX

Dear Mr. Holzer:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Special Exception have been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

TIMOTHY M. KOTROCO Deputy Zoning Commissioner

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for Baltimore County

TMK:bjs

Dr. Barbara A. Cochran
846 West 36th Street, Baltimore, Md. 21211
Mr. James S. Patton, 305/W. Chesapeake Avenue, Suite 206, Towson, Md. 21204
Mr. & Mrs. Hong Sam Kim, 20955 South Ruhl Road, Freeland, Md. 21053
People's Counsel; Case File



Petition for Special Hearing

for the property located at 20959 South Ruhl Road which is presently zoned RC-2

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

(SEE ATTACHED)

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

	is the subject of this Petition.
Contract Purchaser/Lessee:	<u>Legal Owner(s):</u>
Name - Type or Print	Barbara A. Cochran Name - Type or Print Sanfrade Coulc
Signature	Signature
Address Telephone No.	Name - Type or Print
City State Zip Code	Signature
Attorney For Petitioner:	846 West 36th Street (410) 467-369 Address Telephone No
Carroll Holzer Type or Print	Baltimore, Maryland 2121 City State Zip Coo
Signature Holzer	Representative to be Contacted:
Holzer & Lee Company	James S. Patton, P.E
508 Fairmount Ave. (410) 825-6961 Address Telephone No.	305 W. Chesapeake Ave., Suite 206 (410) 296-2 Address Telephone No
Towson, Maryland 21204 City State Zip Code	Towson, Maryland 21204 City State Zip Code
	OFFICE USE ONLY
3	ESTIMATED LENGTH OF HEARING
Dass No.	UNAVAILABLE FOR HEARING
99.326-SPHX Reviewed B	By <u>uca</u> Date <u>3-9-99</u>
REV 9/15/98	No Review
DROP. OFF	No Review

ATTACHMENT TO PETITION FOR SPECIAL HEARING

BARBARA A. COCHRAN

IN ACCORDANCE WITH SECTION 1A00.4, 1A00.5, AND 1A01.3.B.1. OF THE B.C.Z.R. TO PERMIT A PARCEL LINE ADJUSTMENT WHEN THE END RESULT WILL NOT PERMIT RE-SUBDIVISION INTO A GREATER NUMBER OF LOTS. FURTHER, TO CONSIDER SUCH OTHER MATTERS RELATED THERETO AS MAY BE PRESENTED AT THE HEARING.

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Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for t	the	property	located	at	20959	South	Ruhl.	Road
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is the subject of this Petition.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which

which is presently zoned RC-2 & RC-4

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

(SEE ATTACHED)

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Special Exception, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

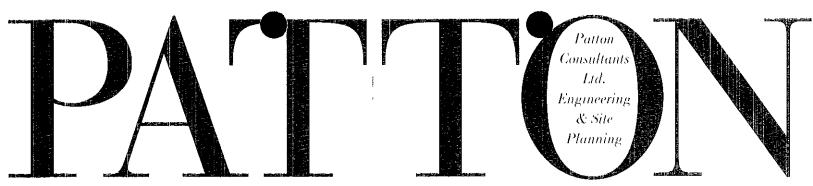
Contract Purchaser/Lessee:	Legal Owner(s):
Name - Type or Print	Name - Type of Print " Parkelle Coule Signature
Signature Address Telephone No.	Name - Type or Print
City State Zip Code Attorney For Petitioner:	Signature 846 West 36th. Street 410-467-3690
J. Carrold Holzer, Asq	Address Telephone No. Sultimore, MD. 21211
Name:- Type or Print Signature	City State Zip Code Representative to be Contacted:
Holzer & Lee	James S. Patton, P.E.
508 Fairmount Ave. 410-825-6961	Name 305 W. Chesapeake Avo., Suite 206
Address Towson, MD. 21204	Address Telephone No. Towson, MD, 21204 410-296-2140
State Zip Code	City State Zip Code
	OFFICE USE ONLY
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	Reviewed By LCA Date 2/19/99
Est oblishs	· Review

ATTACHMENT TO PETITION FOR SPECIAL EXCEPTION

BARBARA A. COCHRAN PROPERTY

A <u>kennel</u> in accordance with Section 1A01.2C.2 of the Baltimore County Zoning Regulations within the designated area for the house and kennel shown on the plat accompanying this Special Exception Petition, including such structures as required to support the use. Further, this petition pertains only to the RC-2 portion of the 119.977 acre \pm area of the tract, and such additional issue(s) as may be presented at the time of Hearing pertaining to this petition.

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BARBARA A. COCHRAN PROPERTY SPECIAL HEARING PETITION

ZONING DESCRIPTION

BEGINNING at a point on the southwest side of South Ruhl Road said point being 2,900 feet \pm from the center line and intersection of West Ruhl Road, East Ruhl Road with the centerline of South Ruhl Road. Thence the following courses and distance.

1.	N	75°	391	00"	E	-	431.65	
2.	N		31'	41"	W	-	233.35	
3.	N	50°	55'	09"	E	-	589.32'	
4.	N	77°	37'	00"	E	-	444.60'	
5.	S	07°	35 '	03"	E	-	278.85'	
6.	N	64°	26'	36"	E	-	411.24'	
7.	S	31°	01'	44"	E	-	694.36'	
8.	S	72°		15"	W	-	901.26'	
9.	S	66°	32 '	35"	W	-	237.47	
10.	S	45°	13'	29"	E	-	25.00	<u>+</u>
11.	S	62°	00'	00"	W	-	220.50	+
12.	N	46°	15'	00"	W	-	670.00	+
13.	N	61°	30'	00"	W	-	268.00	

To the place of BEGINNING, being 22.79 AC. ± of parcel one (1) and all of parcel two (2), (7.580 AC ±) per deed Liber 13409 folio 004.

99.326.SPHX

Rev3/99

305 West Chesapeake Avenue, Suite 206 Towson, Maryland 2120-+10-296-2140 | Fax +10-296-0419

BARBARA A. COCHRAN PROPERTY SPECIAL EXCEPTION PETITION

ZONING DESCRIPTION

BEGINNING at a point on the southwest side of South Ruhl Road said point being 2,900 feet ± from the center line and intersection of West Ruhl Road, East Ruhl Road with the centerline of South Ruhl Road. Thence the following courses and distance.

```
S 61° 30' 00" E -
                             268.00'
      S 46° 15' 00" E -
 2.
                             670.00' +
      N 62° 00' 00" E -
                             220.50'
 3,.
      S 45° 13' 29" E -
                             387.01'
 4.
 thence running along the centerline
of said road
      S 02° 24' 30" W -
                             312.02'
 5.
      S 190 031 00H W -
                              67.00
6.
      S 25°
            38' 00" W -
                             133.36'
 7.
        18°
            38' 00" W
                              84.91'
 8.
      S
        02°
            07י 00" W
                             100.00'
 9.
      S
      S 04°
            59' 56", E
                              93.65
 10.
      S 12°
            26' 00" E -
                             100.00'
11.
            14' 00" E -
      S 146°
12.
                              83.12'
            53' 00" E -
13.
      S 20°
                             100,00'
      S 23° 10' 00" E -
                             100.00
14.
      S 180 09' 25" E -
                              84.11'
15.
      S 05° 24' 43" E -
                              66.05' thence
16.
leaving the centerline of South Ruhl Road
17.
      S 28° 07' 30" W -
                             652.68
      S 61° 37' 30" W -
                            1254.00
18.
      N 05° 07' 30" E -
19.
                            1521.30'
20.
      S 86° 50' 10" W -
                              72.03
21.
      N 17° 11' 00" W -
                             173.25
      S 73° 19' 21" W -
                             928.95'
22.
      N 090 541 4911 W
23.
                            2210.65'
      S 75° 06' 03" E -
                            1482.51'
24.
```

To the place of BEGINNING, CONTAINING within this description an area of 94.257 acres ± of RC-2 zoned land relative to this special exception petition. This being a portion of deed Liber 13409 folio 004.



BALTIMORE COUNTY, MAR NO NO OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	No.	06 3038	,)	PATE ACCETET PROCES ACTUAL THAT 3/12/1999 5/11/1992 16:25:62
DATE 3/10/99 ACCOUNT 001	-6150			5 NEO2 CASHIFR JRCC JAR DROWLE 2 5 NESCELLANOUS CASH RECEIPT Leipt N 083949 OFTM
AMOUNT \$ 250.	00			870230 .0M
RECEIVED Barbara Cochran				Eattimore County, MaryLayl
FOR: SPECIAL HEARING PETITION		······································		
@% \$ x x x 2 20959 S. Ruhl R	oad			
Case #99-326-SPHX DISTRIBUTION Drop-Off No	geview			
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER	1	Turks till tiker		CASHIER'S VALIDATION
BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	No.	06 3038		
DATE 3/10/09 ACCOUNT 001	-6150	,	[4 -	i Viso? — Cashler Jreg (Mr. Draver — — S mescellandas Cash Regett
AMOUNT \$ 250.	00			end # 083949 Dill Mu. 053038 250.00 CHFCK
RECEIVED Barbara Cochran				Gallimore County, Maryland
FOR: SPECIAL HEARING PETITION			•	
@)(%(x2% 20959 S. Ruh1 R Case #99-326-SPHX	. 0 70			
	Review		•	CASHIER'S VALIDATION

BALTIMORE COUNTY, MARYL.) OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	No.	063033	PAID RECEIT
DATE 2/19/99 ACCOUNT	001-6150		2/22/7999 2/19/1999 16:29:45 REG USOS CASHTER PUEB PEU DRAUCK S 5 MISCELLANGUS CASH RECEIPT
AMOUNT \$ 30	0.00 (WCR)		keteirt (f. 075980 OTLN CF NO. 063033
RECEIVED Barbara A Cochran			300.00 CHECK Raltimore County, Maryland
FOR:SPECIAL EXCEPTION PETITI	ON	Ctem 326	
20959 S. Ruhl Road			,
Drop Off No Review	Case #9	99-326-X	
DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOM	ER		CASHIER'S VALIDATION

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County thold a public hearing in Towsson, Maryland on the property identified herein as follows:

Case #99 326-SPHX
20959 South Ruhl Road
SW/S South Ruhl Road, ap-proximately 2800 NW of Keeney Mill Road 6th Election District 3rd Councilmanic District Legal Owner(s):

Legal Owner(s):
Barbara A. Cochran
Barbara B. Cochr

not to result in a years ber of lote: Hearing: Monday, April 12, 1990 at 9:00 a m. in Room 407, County Courts Bidg., 401 Bosley Avenue.

LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County.

Baltimore County.
NOTES: (1) Hearings are
Handleapped Accessible; for
special accommodations
Please Contact, the Zoning
Commissioner's Office at
(410) 887-4386.
(2) For Information concerning the File and/or Hearing,
Contact the Zoning Review Office at (410) 887-3391.

3/426 March 25 C299701

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of __ weeks, the first publication appearing on Mars 25, 19 99.

THE JEFFERSONIAN.

LEGAL ADVERTISING

HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regula-tions of Baltimore County will hold a public hearing in Tow-son, Maryland on the property identified herein as follows:

Case: #99-326-X 20959 South Ruhl Road SW/S South Ruhl Road, ap-proximately 2800' NW of Keeney Mill Road 6th Election District 3rd Councilmanic District Legal Owner(s): Barbara A. Cochran

Special Exception: for a kennel in the R.C.-2 portion of the Hearing: Thursday, April 1, 1999 at 9:00 a.m. in Room 106, County Office Bidg., 111 West Chesspeake Avenue,

LAWRENCE E. SCHMIDT

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County
NOTES: (1) Hearings are
Handicapped Accessible; for
special accommodations
Please Contact the Zoning
Commissioner's Office at
(410) 887-4386.
(2) For information concerning the File and/or Hearing,
Contact the Zoning Review Office at (410) 887-3391.

3/207 March 11 C296548

CERTIFICATE OF PUBLICATION

TOWSON, MD., 3/11, 1999
THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper published
in Towson, Baltimore County, Md., once in each of successive
weeks, the first publication appearing on 311, 1999
THE JEFFERSONIAN,
Wilkinson-
LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: CASE # 99-326-SPHX
PETITIONER/DEVELOPER:
(Barbara A. Cochran)
DATE OF Hearng
(APR. 12, 1999)

Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Ave. Towson, Maryland 21204

ATTENTION: MS. GWENDOLYN STEPHENS

LADIES AND GENTLEMEN:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 20959 South Ruhl Road Baltimore, Maryland 21053_____



Sincerely,
Ohom P. Oglit 3/21/9
(Signature of Sign Poster & Date)
Thomas P. Ogle, Sr
325 Nicholson Road
Baltimore, Maryland 21221
(410)-687-8405 (Telephone Number)

Request for Zoning: Variance, Special Exception, or Special Hearing Date to be Posted: Anytime before but no later than Format for Sign Printing, Black Letters on White Background: ZONING NOTICE Case No. 99-326-X A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONER IN TOWSON, MD PLACE: DATE AND TIME: REQUEST: SPECIAL EXCEPTION FOR A KENNEL PORTION OF THE TRACT. POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY. TO CONFIRM HEARING CALL 887-3391. DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW HANDICAPPED ACCESSIBLE 9/96 post.4.doc

TO: PATUXENT PUBLISHING COMPANY

March 11, 1999 Issue - Jeffersonian

Please forward billing to:

J. Carroll Holzer, Esquire

Holzer & Lee

508 Fairmount Avenue

Towson, MD 21204

410-825-6961

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-326-X 20959 South Ruhl Road

SW/S South Ruhl Road, approximately 2800' NW of Keeney Mill Road

6th Election District – 3rd Councilmanic District

Legal Owner: Barbara A. Cochran

Special Exception for a kennel in the R.C.-2 portion of the tract.

HEARING: Thu

Thursday, April 1, 1999 at 9:00 a.m. in Room 106, County Office Building,

111 West Chesapeake Avenue

. .

LAWRENCE E. SCHMIDT

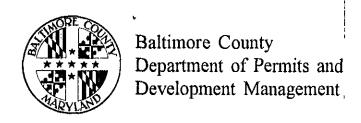
ance &. Schmidt

ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S

OFFICE AT 410-887-4386.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

March 2, 1999

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-326-X 20959 South Ruhl Road SW/S South Ruhl Road, approximately 2800' NW of Keeney Mill Road 6th Election District — 3rd Councilmanic District Legal Owner: Barbara A. Cochran

Special Exception for a kennel in the R.C.-2 portion of the tract.

HEARING: Thursday, April 1, 1999 at 9:00 a.m. in Room 106, County Office Building,

111 West Chesapeake Avenue

Arnold Jablon Director

c: J. Carroll Holzer, Esquire Barbara A. Cochran James S, Patton, P.E.

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MARCH 17, 1999.

(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO:

PATUXENT PUBLISHING COMPANY

March 25, 1999 Issue - Jeffersonian

Please forward billing to:

J. Carroll Holzer, Esquire Holzer & Lee 508 Fairmount Avenue Towson, MD 21204 410-825-6961

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-326-SPHX

20959 South Ruhl Road

SW/S South Ruhl Road, approximately 2800' NW of Keeney Mill Road

6th Election District – 3rd Councilmanic District

Legal Owner: Barbara A. Cochran

<u>Special Exception</u> for a kennel in the R.C.-2 portion of the tract. <u>Special Hearing</u> to permit a parcel line adjustment not to result in a greater number of lots.

HEARING: Moi

Monday, April 12, 1999 at 9:00 a.m. in Room 407, County Courts Building,

401 Bosley Avenue

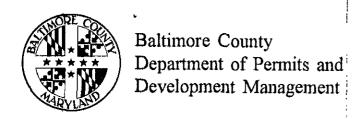
301

LAWRENCE E. SCHMIDT

ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386;

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

March 10, 1999

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-326-SPHX

20959 South Ruhl Road

SW/S South Ruhl Road, approximately 2800' NW of Keeney Mill Road

6th Election District – 3rd Councilmanic District

Legal Owner: Barbara A. Cochran

Special Exception for a kennel in the R.C.-2 portion of the tract. Special Hearing to permit a parcel line adjustment not to result in a greater number of lots.

HEARING: Monday, April 12, 1999 at 9:00 a.m. in Room 407, County Courts Building,

401 Bosley Avenue

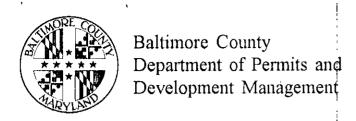
Arnold Jablon Director

c: J. Carroll Holzer, Esquire Barbara A. Cochran James S. Patton, P.E.

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MARCH 28, 1999.

(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

March 25, 1999

J. Carroll Holzer, Esq. Holzer & Lee 508 Fairmont Avenue Towson, MD 21204

RE: Case No.: 99-326-X

Petitioner: Barbara A. Cochran Location: 20959 South Ruhl Road

Dear Mr. Holzer:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on February 19, 1999.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.

Zoning Supervisor Zoning Review

WCR:ggs

Enclosures



Printed with Soybean Ink on Recycled Paper

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: March 19, 1999

Department of Permits & Development

Management

FROM:

Róbert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

for March 1, 1999

Item Nos. 316, 317, 319, 325, and

(326)

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comment.

RWB:HJO:jrb

cc: File

BALTIMORÉ COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

REVISED

TO:	Arnold Jablon	Date:	March 16, 1999
FROM:	R. Bruce Seeley (05/9)	· •	
SUBJECT:	Zoning Item #326		
	Ba	arbara Cochran	
	Zoning Advisory Cor	i nmittee Meeting of I	March 1, 1999
	Department of Environment ments on the above-referen		Resource Management has no
an ex	•	he above-referenced	Resource Management requests zoning item to determine the the site.
	Department of Environment of Department of Environment on the		Resource Management offers oning item:
_X		ality, Streams, Wetla	with the Regulations for the ands and Floodplains (Sections unty Code).
v			with the Forest Conservation 2 of the Baltimore County
		ns (Sections 26-436	with the Chesapeake Bay through 26-461, and other
_X	AP: Properties will all This request furthers the		for easement sale or donation.
_X	-	t Buffer Easement p transfer or minor su	

BALTIMORÉ COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

Date: March 10, 1999

Arnold Jablon TO: R. Bruce Seeley RN/99 FROM: SUBJECT: Zoning Item #326 Barbara Cochran Zoning Advisory Committee Meeting of March 1, 1999 The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item. The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site. X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item: Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code). ____ Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code). Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code). X AP: Properties will all be put in a program for easement sale or donation. This request furthers that effort.



700 East Joppa Road Towson, Maryland 21286-5500 410-887-4500

March 11, 1999

Arnold Jablon, Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD 21204 MAIL STOP-1105

Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF FEBRUARY 29, 1999

Item No.: See Below

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

315, 316, 317, 319, 321, 325, (326)

327, 328, AND 329

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



Parris N Glendening Governor John D. Porcari Secretary Parker F. Williams Administrator

Date: 3.24.99

Ms. Gwen Stephens
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County

Item No. # 99 - 326

Dear. Ms Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (Igredlein@sha.state.md.us).

Very truly yours,

If Michael M. Lenhart, Acting Chief Engineering Access Permits Division



Parris N. Glendening Governor John D. Porcari Secretary Parker F. Williams Administrator

Date:

2.26.99

Ms. Gwen Stephens
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109

RE: Baltimore County

Item No. 326 WG

Dear. Ms Stephens:

Towson, Maryland 21204

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

h

Michael M. Lenhart, Acting Chief Engineering Access Permits Division

1. J. Drell

Sem-4/12

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Date: March 3, 1999

TO: Arnold Jablon, Director

Department of Permits

and Development Management

FROM: Arnold F. 'Pat' Keller, III, Director

Office of Planning

SUBJECT: Zoning Advisory Petitions

The Office of Planning has no comment on the following petition (s):

Item No (s): 326

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief:

AFK/JL

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: April 6, 1999

Department of Permits & Development

Management

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

for March 29, 1999

Item Nos. 345, 346, 347, 348, 349,

350, 351, 353, 355

and

Case #99-326 (Additional petition

for Special Hearing)

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File

RE: PETITION FOR SPECIAL EXCEPTION	*	BEFORE THE
20959 South Ruhl Road, SW/S S. Ruhl Rd, appx. 2600 NW of Keeney Mill Rd, 6th Election District		ZONING COMMISSIONER
3rd Councilmanic	*	FOR
Legal Owners: Barbara A. Cochran	*	BALTIMORE COUNTY
Petitioner(s)	*	Case Number: 99-326-X
· !	•	

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates of other proceedings in this matter and of the passage of any preliminary or final Order.

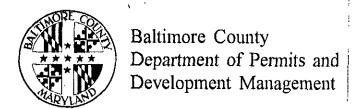
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CAROLE S. DEMILIO Deputy People's Counsel Old Courthouse, Room 47 400 Washington Avenue Towson, MD 21204 (410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this ______ day of February, 1999, a copy of the foregoing Entry of Appearance was mailed to J. Carroll Holzer, Esq., Holzer and Lee, 508 Fairmount Avenue, Towson, MD 21286, attorney for Petitioner(s).

PETER MAX ZIMMERMAN



February 19, 1999

J. Carroll Holzer, Esquire Holzer & Lee 508 Fairmount Avenue Towson, MD 21204

Dear Mr. Holzer:

RE: Drop-Off Petition, Case No. 99-326-X, 20959 South Ruhl Road

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. Once a detailed review has been completed by the staff, those comments will be forwarded to you (hopefully before the hearing).

As Baltimore County is no longer responsible for posting properties, I have enclosed the proper form pertaining to this. The sign must contain the wording indicated on the "Zoning Notice" form and the certificate of posting must be completed by the poster and returned to this office.

If you have any questions regarding the above, please do not hesitate to contact Sophia Jennings at or myself 410-887-3391.

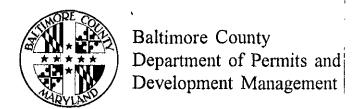
Very truly yours,

ua/scj

W. Carl Richards, Jr. Zoning Supervisor Zoning Review

WCR:scj

Enclosures



March 3, 1999

J. Carroll Holzer, Esquire Holzer & Lee 508 Fairmount Avenue Towson, MD 21204

Dear Mr. Holzer:

RE: Drop-Off Petition Review, Case Number 99-326-X, 20959 South Ruhl Road

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. The plan was accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed no unaddressed zoning issues and/or incomplete information. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the \$100.00 revision fee.

If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

John R. Alexander

Manner II

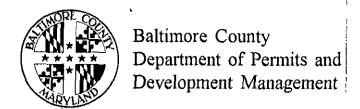
Verv trulv vo

Zoning Review

JRA:scj

Enclosure (receipt)

c: Zoning Commissioner



March 10, 1999

J. Carroll Holzer, Esquire Holzer & Lee 508 Fairmount Avenue Towson, MD 21204

Dear Mr. Holzer:

RE: Case Number 99-326-X, 20959 South Ruhl Road

The above matter, previously assigned to be heard on Thursday, April 1, 1999 has been postponed at the request of James Patton, who said he was speaking for the owner. As requested, the petition for special exception will be combined with the petition for special hearing.

Please be advised that, as the individual requesting and receiving the postponement, the responsibility and costs associated with the appropriate posting of the property now lies with you. The petitioner or his/her agent may not personally post or change a zoning sign. One of the currently approved vendors/posters must be contacted to do so. If the property has been posted with notice of the hearing date, as quickly as possible a notice of postponement should be affixed to the sign(s).

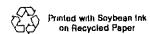
Very truly yours,

Arnold Jablon

Director

AJ:sci

c: Barbara A. Cochran James S. Patton P.E.



●3/12/99 HEARINS

BALTIMORE COUNTY, MARYLAND

ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

Inter-Office Correspondence

TO:

Arnold Jablon

DATE: April 7, 1999

FROM:

Wallace S. Lippincott, Jr.

Agricultural Land Preservation Program

SUBJECT:

Sph 99-326x Barbara Cochran – Additional Comments.

The Petition is requesting a lot line adjustment to reconfigure parcels. The landowner has submitted one parcel, the 119 acres on the west side of South Ruhl Road, to the County for the creation of an agricultural district. The objective of the agricultural district is to sell the development rights and to enter into a perpetual easement. This land is currently in agricultural production and is an agricultural area.

The proposal to reconfigure assists the landowner in creating the agricultural district on the 119 acre portion. Given the road separation, existance of a home and the 30 acre size of the remaining parcel - approval of this lot line adjustment is consistent with agricultural preservation if the petitioner agrees to limit the number of development rights associated with the 30 acre lot line adjustment to only one right for the existing home. If the landowner chooses to retain more than one right, the request should not be supported as this could result in a future subdivision that would reduce the 30 acres to a size that is less conducive to promoting continued agricultural uses.

Wallace S. Lippincott, Jr.

you gat tall Dr. Barbara Ca ssaw 20959 South Rupe Rd. Friedrich mo 10-2 \$ 99-326-SAHX for I non-density lats. Like to have approval per Order dated 5/17/99 Like to set 900 1000 august?

veed to post? date: Need to post? Case must be set in for hearing by Sophie Jennings. Ze oppice cannot be involved with schooling. 12 y 3/20

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Date: March 3, 1999

TO: Arnold Jablon, Director
Department of Permits

and Development Management

FROM: Arnold F. 'Pat' Keller, III, Director

Office of Planning

SUBJECT: Zoning Advisory Petitions

The Office of Planning has no comment on the following petition (s):

Item No (s): 326

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief:

AFK/JL

3-9-99

,-----

- --- |

WCR spoke with Jim Patton. Jun said he was speaking for the owner - wants 4/1 hearing PP + the 2 petitions combined in a later hearing.

Per wce, this was done. Property is to be reposted + readvertised.

.



LAW OFFICES

J. CARROLL HOLZER, PA J. HOWARD HOLZER

1907-1989 THOMAS I. LEE

OF COUNSEL

THE 508 BUILDING

508 Fairmount Ave. Towson, MD 21286 (410) 825-6961

FAX: (410) 825-4923

E-MAIL: JCHOLZER@BCPL.NET

August 3, 2000 # 7119

AUG - 1

Hearing: 8/29/00

Aleaning: 8/29/00

Aleaning: 8/29/00

HAND DELIVERED

W. Carl Richards, Jr., Supervisor
Zoning Review Office
Department of Permits and Development
Management
County Office Building
Towson, MD 21204

Re: Petition of Barbara Cochran, M.D., Legal Owner Case No. 01-012-SPH 20959 South Ruhl Road

Dear Carl:

As a result of our telephone conversation this morning and speaking with our client, Dr. Cochran, I would like to clarify several points regarding our Petition for Special Hearing which we filed with PDM on June 30, 2000.

First of all, on the issue of the Contract Purchasers' Signatures which do not appear on our Petition, an Addendum to the Contract to Purchase the subject property specifically requires that the seller (Dr. Cochran) bear all costs and obligations of the Special Hearing. Therefore, none of the three Contract Purchasers will be present at the hearing scheduled for Tuesday, August 29.

Because the Deputy Zoning Commissioner previously filed an Amended Order in Case No. 99-326-SPHX on May 17, 1999 involving the entire 120 acres owned by Dr. Cochran of which the subject 30-acres is but a part, we respectfully request that the Deputy Zoning Commissioner hear the instant Petition. In that Order, Mr. Kotroco wrote on the bottom of page three, "However, in the event future circumstances dictate, Dr. Cochran, or her assignee, will be allowed to Petition for one additional density unit to be associated with this 30-acre parcel; ..." The sole issue in the instant Petition, Case No. 01-012-SPH is the creation of one additional density unit. Therefore, we do not believe any review by County agencies is necessary.

Because settlement on the contingent sale of the 30-acre parcel is scheduled for the end of September, it is incumbent that the hearing scheduled for August 29 be

maintained. If, for some reason, Mr. Kotroco is unavailable to hear the case that day (like the previous case, the hearing should take less than an hour), we request that the Zoning Commissioner hear the instant Petition.

I appreciate your taking the time to address some of the concerns that we had and hope this letter will make processing our Petition easier. If you have any questions, please call me at 410-825-6961.

Very truly yours,

Sterling Leese, Jr.

SLL:clh

cc: Timothy Kotroco, Esq. Dr. Barbara Cochran

BALTIMORE COUNTY, MARYLAND

ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

Inter-Office Correspondence

TO:

Amold Jablon

4108874804

DATE: April 7, 1999

FROM:

Wallace S. Lippincott, Jr.

Agricultural Land Preservation Program

SUBJECT:

Sph 99-326x Barbara Cochran - Additional Comments.

The Petition is requesting a lot line adjustment to reconfigure parcels. The landowner has submitted one parcel, the 119 acres on the west side of South Ruhl Road, to the County for the creation of an agricultural district. The objective of the agricultural district is to sell the development rights and to enter into a perpetual easement. This land is currently in agricultural production and is an agricultural area.

The proposal to reconfigure assists the landowner in creating the agricultural district on the 119 acre portion. Given the road separation, existance of a home and the 30 acre size of the remaining parcel - approval of this lot line adjustment is consistent with agricultural preservation if the petitioner agrees to limit the number of development rights associated with the 30 acre lot line adjustment to only one right for the existing home. If the landowner chooses to retain more than one right, the request should not be supported as this could result in a future subdivision that would reduce the 30 acres to a size that is less conducive to promoting continued agricultural uses.

Wallace S. Lippincott, Jr.

Whid copy Carroll Holzer
Fax # (410) 825-4923

ATTACHMENT TO PETITION FOR SPECIAL HEARING

BARBARA A. COCHRAN

IN ACCORDANCE WITH SECTION 1A00.4, 1A00.5, AND 1A01.3.B.1. OF THE B.C.Z.R. TO PERMIT A PARCEL LINE ADJUSTMENT WHEN THE END RESULT WILL NOT PERMIT RE-SUBDIVISION INFO A GREATER NUMBER OF LOTS. FURTHER, TO ACCONSIDER SUCH OTHER MATTERS RELATED THERETO AS MAY BE PRESENTED AT THE HEARING.



PATTON CONSULTANTS, LTD.

305 West Chesapeake Avenue, Suite 206 (4 Fa

owson, Maryland 21204 10) 296-2140 ax (410) 296-0419	Spea, Hearing
TO: PDM	TRANSMITTED VIA
ATTN: SPHIS	Fax No. ()
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PATTON CONSULTANTS, LTD.

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Date: 2/11/99

If enclosures are not as noted, please notify us at on





HAND DELIVERED

Timothy Kotroco
Deputy Zoning Commissioner
401 Bosley Ave.
Towson, Maryland 21204

LAW OFFICES

THE 508 BUILDING

J. Carroll Holzle, pa

J. Howard Holzer

1907-1989

THOMAS J. LLE OF COURSEL 508 FARMOUNT AVE

Towson, MD 21286 (410) 825-6961

FAX: (410) 825-4923

E-MAIL: JCHOLZER@ BCPLINET

May 11, 1999 # 7119

MAY 1

Re: Order and Opinion in Petitions for Special Hearing & Special Exception, Case No. 99-326-SPHX

Dr. Barbara Cochran, Petitioner

Dear Deputy Zoning Commissioner:

As you requested during the above referenced hearing, this letter on behalf of the Petitioner, Barbara Cochran, is her Motion to Amend or Modify your Findings of Fact and Conclusions of Law rendered on April 16, 1999 after having been analyzed by myself in regard to Dr. Cochran's status with the Maryland Agricultural Land Preservation Foundation. The thrust of the modifications relate to the density units which I have amended in blue ink on the accompanying attached Opinion. It is important that nothing in your Order indicates a surrendering of the density units by Dr. Cochran prior to the Foundation's taking action.

The attached modifications are not intended in any way to affect the protections of public policy expressed in your Opinion and Order. It is my understanding that Baltimore County is in agreement with Jim Patton's calculations.

In the alternative, if you believe that a public hearing should be held as a result of Petitioner's Motion to Amend your Order and Opinion, please advise me. I appreciate your attention and cooperation in this matter.

Very truly yours

J. Carroll Holzer

Enclosures (Jim Patton, P.E., John Sullivan, Jr.)

JCH:clh

cc: Barbara Cochran C2/Letters/cochran.Ltr



Parism Consistence Lad. Engineering & Sur Planning

February 18, 1999

Permits and Development Management 111 West Chesapeake Ave. Room 109 Towson, Maryland 21204

Attention:

Mr. Arnold Jablon, Director

Re:

Barbara A. Cochran Property

Development Rights

PCL #99104

Dear Mr. Jablon:

For the purposes of agricultural/land preservation, I am requesting your confirmation of the number of development rights which would be permitted on the Barbara A. Cochran property situated on South Ruhl Road in the northwestern area of the county. The property is a total acreage of 150.792 acres (tax acct. #180002870) deeded in four separate parcels. It is RC-2 and RC-4 zoned. The RC-4 zoning being both sides of Little Falls which flows through the center of the property thus separating the RC-2 areas on the property. South Ruhl Road also bisects the property.

On the accompanying plat, I have indicated a computation of the fifteen (15) development rights which I believe to exist related to the zoning of this property. I based this in part on discussions I have had with Carl Richards and Zoning office staff. Would you please confirm in writing this matter.

For your further consideration in reviewing this matter, Ms. Cochran has already donated/ sold a portion of the development rights while placing a portion of the property in Land Preservation. In the future, she intends to dispose of all but three (3) of the rights through their sale to environmental trust programs, or subjecting her property to environmental/ agricultural preservation easements. Of the proposed dwelling, one (1) for the existing house, and the third may be retained on either the east or west side of South Ruhl Road.

PADM

, Attn: Mr. Jablon ,

Re: Barbara Cochran Property

February 18, 1999

Page 2

The main reason for your written confirmation is to insure that all development rights which potentially exist on the property have been identified. This is to make sure that the property can be placed in environmental/agricultural preservation to the fullest extent possible.

Thank your for your usual prompt attention to this matter.

Sincerely yours,

PATTON CONSULTANTS, LTD.

James S. Patton, P.E.,

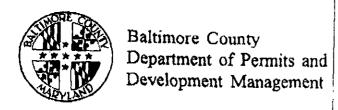
President

JSP/met

cc: B. Cochran

M. Daneker, Esq.

W. Lippincott



April 9, 1999

Mr. James S. Patton, P.E. Patton Consultants, Ltd. 305 West Chesapeake Avenue Suite 206 Towson, MD 21204

Dear Mr. Patton:

RE: Zoning verification, Barbara A. Cochran Property, Tax account #18-00-002-870, 6th Election District

Your letter and accompanying deed and color-coded plat to Regulo Tanguilig in response to his February 23rd letter to you has been referred to me for reply. I have reviewed this matter with Mitchell Kellman and he agrees (as he and W. Carl Richards did in a prior meeting with you) that in accordance with Section 1A00.5 of the <u>Baltimore County Zoning Regulations</u> (BCZR), the R.C.-4 zone line creates "parcel" boundaries for the purpose of calculating subdivision (development) rights.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,

John J. Sullivan, Jr.

John of Sullwan, p./cp

Planner II

Zoning Review

JJS:cjs

c: W. Carl Richards, Zoning Supervisor Mitchell J. Kellman, Planner II IN RE: PETITIONS FOR SPECIAL HEARING
AND SPECIAL EXCEPTION – SW/S
South Ruhl Road, 2,900' S of the c/l of
West Ruhl Road
(20959 South Ruhl Road)
6th Election District
3rd Councilmanic District

Barbara A. Cochran Petitioner

- * BEFORE THE
- * DEPUTY ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- * Case No. 99-326-SPHX

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of Petitions for Special Hearing and Special Exception filed by the owner of the subject property, Barbara A. Cochran, through her attorney, J. Carroll Holzer, Esquire. The Petitioner seeks approval of a parcel line adjustment, pursuant to Sections 1A00.4, 1A00.5 and 1A01.3.B.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), and a special exception to permit a kennel, in accordance with Section 1A01.2.C.2 of the B.C.Z.R., on the R.C.2 zoned portion of the subject property. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the hearing in support of the Petitions were Dr. Barbara A. Cochran, owner of the property, James S. Patton, Professional Engineer, and J. Carroll Holzer, Esquire, attorney for the Petitioner. There were no Protestants or other interested persons present. However, subsequent to the hearing, Mr. & Mrs. Hong Sam Kim, adjoining property owners, appeared to inquire about the proposal out of interest.

parcels, containing a combined gross area of approximately 150 acres, split zoned R.C.2 and with a total of 15 development with a total of 15 development.

R.C.44 The property is located along the east and west sides of South Ruhl Road in northern

Baltimore County, in the vicinity of Middletown Road and Keeney Mill Road, and is traversed by the Little Falls. The larger of the three parcels is located on the west side of South Ruhl Road.

This parcel contains a gross area of 119.977 acres, more or less, and is unimproved. The other two parcels are located on the east side of South Ruhl Road and contain a gross area of 7.580 acres and 22.79 acres, respectively. The larger of these two parcels is improved with a single family dwelling, known as 20959 South Ruhl Road.

As to the Petition for Special Hearing, the Petitioner is desirous of combining the two smaller parcels on the east side of South Ruhl Road to create one parcel of approximately 30 acres total. The proposed new parcel line will follow the existing dividing line of South Ruhl Road, there two facels have seven (7) development rights and the rights of subdivision associated with the Office of Planning to convey most of the rights of subdivision associated with her land into the Agricultural Land Preservation Truck. The Program. Thus, the newly created 30-acre parcel will contain the existing single family dwelling and there will be no other density units associated with this parcel. In order to perform the parcel line adjustment, the requested special hearing is necessary.

As to the 119.977-acre parcel located on the west side of South Ruhl Road, Dr. Cochran proposes to develop the property with a single family dwelling which will be her residence. In addition, Dr. Cochran wishes to construct a kennel adjacent to the new dwelling. Dr. Cochran testified that she breeds Irish Setters for show as a hobby and that the proposed kennel will be used specifically for her dogs and not for commercial purposes. She noted that sometimes after breeding, she has offered puppies for sale to the general public. However, she has no intention of boarding other dogs on her property; she merely wishes to have a kennel for her own dogs. The proposed dwelling will contain approximately 5,000 sq.ft. of living area and the kennel addition will contain approximately 450 sq.ft. As shown on the site plan, the proposed improvements will

be located in approximately the center of the 119.977-acre tract of land so as to be as far away as possible from adjoining residential properties. However, in order to proceed with the proposed improvements, a special exception is necessary to locate a kennel on R.C.2 zoned land.

As noted above, Dr. Cochran has negotiated to place most of her land into a perpetual easement to preserve the property for agricultural use. The newly created 30-acre parcel on the east side of South Ruhl Road, which is already improved with a single family dwelling, will only have one density unit associated therewith, which has been utilized by virtue of the existing dwelling. However, in the event future circumstances dictate, Dr. Cochran will be allowed to Petition for one additional density unit to be associated with this 30-acre parcel; however, at the

present time, only one single family dwelling will be associated with this 30-acre parcel.

Fig. 1. Cochron's offer to five manyland Agricultural Land Reservation Founds, accepted to the 119.977-acre parcel located on the west side of South Ruhl Road, there shall be

associated with that parcel shall also be placed into the Agricultural Land Preservation Program.

Dr. Cochran indicated that in the future, she may wish to create a caretaker's residence or tenant house on this parcel, and thus, wishes to retain one density unit to do so. Therefore, by this which is tentingent upon acceptance of her offer MALPF

Order, I shall approve that the 119.977-acre parcel shall have two density units associated therewith, one of which shall be utilized by the proposed single family residence to be constructed for Dr. Cochran. The other density unit shall be retained for future use as a caretaker's residence or tenant house.

It is clear that the B.C.Z.R. permits the use proposed in an R.C.2 zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, I am persuaded to grant the special exception for a kennel. The Petitioner's testimony that the proposed kennel is for her show dogs only and that no other dogs will be boarded on the property, was persuasive. Moreover, the location of the kennel adjacent to the proposed new dwelling in nearly the center of this large tract reflects the Petitioner's intent to maintain this kennel for personal use. I further find that the proposed parcel line adjustment is appropriate in this instance and should be granted. It has been established that there will be no additional density associated with this adjustment and that the relief requested meets the spirit and intent of the R.C.2/R.C.4 zoning regulations. In addition, the relief requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the special hearing relief and the requested special exception should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this ______ day of April, 1999 that the Petition for Special Hearing seeking approval of a parcel line adjustment, pursuant to Sections 1A00.4, 1A00.5 and 1A01.3.B.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Special exception to permit a kennel. pursuant to Section 1A01.2.C.2 of the B.C.Z.R., on R.C.2 zoned land, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, the Petitioner is hereby made aware that proceeding at this time is at her own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) The special exception granted herein is limited to a private kennel for the Petitioner's dogs, only. There shall be no boarding of other dogs on the premises.
- 3) As noted herein, the Petitioner has negotiated to place most of her land into a perpetual easement to preserve the property for agricultural use. Therefore, as stipulated within this Order, there shall only be one density unit associated with the 30-acre parcel to be created on the east side of South Ruhl Road as a result ; + wer offer of the parcel line adjustment granted herein. In addition, there shall only be two to two density units associated with the 119.977 acre parcel located on the west side of South Ruhl Road.

Agr. cultural

Preservation

is accepted

4) Pursuant to Section 502.2 of the B.C.Z.R., a new deed incorporating a reference to this case, and the terms and conditions set forth herein shall be recorded among the Land Records of Baltimore County within sixty (60) days of the date of this Order. A copy of the recorded deed shall be forwarded to the Department of Permits and Development Management (DPDM) for inclusion in the case file.

5) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that the 30-acre parcel to be created on the east side of South Ruhl Road, by virtue of the parcel line adjustment granted herein, shall have only one density unit associated therewith, that density unit having been utilized by virtue of the existing dwelling. However, Dr. Cochran shall be permitted to Petition for approval of one additional density unit on this 30-acre parcel, by way of a future public hearing, in the event circumstances warrant a necessity to do so.

IT IS PURTHER ORDERED that the 119.977 acre parcel of land located on the west side of South Ruhl Road, shall have two density units associated therewith. One density unit will be utilized by virtue of the proposed residential dwelling to be constructed for Dr. Cochran; the other density unit is being reserved for future use by Dr. Cochran, in the event she wishes to construct a caretaker's residence or tenant house. There shall be no other density units or rights of subdivision associated with this 119.977-acre parcel.

TMK:bis

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

